

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ANTHONY LEO,)
Petitioner,)
v.) Civil Action No. 04-11006-JLT
COMMONWEALTH OF)
MASSACHUSETTS,)
Respondent.)

MOTION FOR ENLARGEMENT OF TIME
TO FILE SUPPLEMENTAL BRIEF ADDRESSING
MERITS OF GROUND 4 OF PETITION
FOR WRIT OF HABEAS CORPUS

The Petitioner, Anthony Leo, hereby respectfully requests that this Honorable Court grant him an enlargement of time from October 4, 2004, to October 12, 2004, to file his supplemental brief as ordered by this Court dated September 24, 2004.

As reasons for this motion, the petitioner states that, on September 24, 2004, this Court ordered the petitioner to file his supplemental brief addressing the merits of ground four, by October 4, 2004. The Petitioner, did not receive that order until September 28, 2004. The petitioner, on September 30, 2004 through October 1, 2004, will be attending a suppression hearing in the Worcester Superior Court in his criminal matter. As such

the petitioner will not have access to the institutional law library, typewriter, and legal supplies, in order to research, and adequately prepare his brief. Moreover, the granting of this motion will not cause any prejudice to the respondent nor will it cause any undue delay in these proceedings..

Wherefore, the petitioner respectfully requests that this Court grant his request for an enlargement of time from October 4, 2004 to October 12, 2004, to file his supplemental brief addressing the merits of ground four.

October 2 , 2004

Respectfully Submitted
by the Petitioner,
Anthony Leo, pro Se
O.C.C.C. A-83901
One Administration Road
Bridgewater, Massachusetts 02324

CERTIFICATE OF SERVICE

I, Anthony Leo, petitioner, pro se, hereby certify that I have served one true copy of the foregoing motion upon Maura D. McLaughlin, Assistant Attorney General, Criminal Bureau, One ashburton Place, Boston, Massachusetts 02108, on this 4th day of October, 2004, by first class mail postage prepaid.

Anthony Leo, pro Se

Anthony Leo